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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/635,390 | 08/09/2000 | Katashi Nagao | SONY-T0949 | 5940 |

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EXAMINER

HUTTON JR, WILLIAM D

| ART UNIT | PAPER NUMBER |
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2178

DATE MAILED: 06/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/635,390

Applicant(s)

NAGAO, KATASHI

Examiner

Doug Hutton

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

Claim 9 is objected to because of the following informalities:

- the term "said" in Line 3 should be amended to — an — because an "electronic document" is not previously identified in the claim.

Claims 16, 24 and 32 are objected to because of the following informalities:

- the term "analyses" in Claim 16, Line 3 should be amended to — analyzes — because it is currently misspelled; Claims 24 and 32 have the same problem.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 25-32 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 25:

The claim recites a "signal carrying a computer-controllable program" (Line 1). As currently specified, the invention is functional descriptive material because it is not tangibly embodied on a computer-readable medium.

A "signal" that carries a computer programs is not a physical "thing." It is neither a computer component nor a statutory process, because it is not an "act" being performed. Such claimed "signals" do not define any structural and functional interrelationships between the "signal" and other claimed elements of a computer which permit the signal's functionality to be realized.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Kurachi et al., U.S. Patent No. 6,092,035.

Claim 1:

Kurachi discloses a document processing apparatus (see Figures 1-23; see Column 1, Line 1 through Column 24, Line 39), comprising:

- automatic analysis means for automatically analyzing an electronic document (the multilingual transmission system includes a document processing apparatus that morphologically analyzes an electronic document) and attaching structure information representing a document structure to said electronic document in accordance with the result of said automatic analysis (the multilingual transmission system includes a document processing apparatus that “attaches structure information to the electronic document” in that it divides the document into morphemes and generates a dependent structure representing the relationships between the different morphemes);
- information presenting means for presenting information about the electronic document including said structure information so that a user may correct internal information associated with said electronic document on the basis of said information displayed on a display (the multilingual transmission system includes a document processing apparatus that presents the “structure information” to the user so that the user can make corrections in that, when vagueness exists in the electronic document, it presents alternatives for selection by the user); and
- correction means for correcting said internal information associated with said electronic document in response to an operation performed by the user in accordance with the internal information displayed on the display (the multilingual

transmission system includes a document processing apparatus that allows the user to select the proper alternative for correction via a keyboard or a mouse, thereby correcting the "internal information" of the electronic document).

Claim 2:

Kurachi discloses the document processing apparatus according to Claim 1, wherein said automatic analysis means comprises morpheme dividing means for dividing said electronic document into morphemes and morphological information attaching means for attaching morphological information to each said morpheme (as indicated in the above rejection for Claim 1, the multilingual transmission system includes a document processing apparatus that divides the document into morphemes; it also "attaches morphological information to each morpheme" in that it determines that grammatical type of each morpheme).

Claim 3:

Kurachi discloses the document processing apparatus according to Claim 2, wherein when candidates of internal information are attached by said automatic analysis means to an electronic document, said information presenting means presents information for prompting a user to select one of said candidates of internal information (as indicated in the above rejection for Claim 1, the multilingual transmission system includes a document processing apparatus that, when vagueness exists, presents

alternatives for selection by the user so that the user can make corrections to the “structure information” of the electronic document).

Claim 4:

Kurachi discloses the document processing apparatus according to Claim 3, wherein said candidates of internal information represent different manners in which said electronic document is divided into morphemes (see Figures 14-16).

Claim 5:

Kurachi discloses the document processing apparatus according to Claim 3, wherein said candidates of internal information represent different document structures (see Figures 14-16).

Claim 6:

Kurachi discloses the document processing apparatus according to Claim 3, wherein said candidates of internal information represent different referential relations between portions of said electronic document (see Figures 14-16).

Claim 7:

Kurachi discloses the document processing apparatus according to Claim 1, wherein said correction means corrects the internal information associated with said electronic document by adding, removing, or modifying internal information (the

multilingual transmission system includes a document processing apparatus that allows the user to select the proper alternative for correction via a keyboard or a mouse, thereby correcting the electronic document by "modifying internal information").

Claim 8:

Kurachi discloses the document processing apparatus according to Claim 1, wherein said automatic analysis means automatically analyzes the document structure of said electronic document in the order from the lowest hierarchical level to the highest hierarchical level (see Figures 9-11), and wherein said correction means corrects the internal structure of said electronic document in the order from the lowest hierarchical level to the highest hierarchical level (see Figures 14-16).

Claims 9-16:

These claims recite the method performed by the document processing apparatus of Claims 1-8. Thus, Kurachi discloses every limitation of these claims using the same rationale specified in the above rejections for Claims 1-8.

Claims 17-24:

These claims recite a computer program that performs the functions of the document processing apparatus of Claims 1-8. Thus, Kurachi discloses every limitation of these claims using the same rationale specified in the above rejections for Claims 1-8.

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Claims 24-32:

These claims recite a computer program that performs the functions of the document processing apparatus of Claims 1-8. Thus, Kurachi discloses every limitation of these claims using the same rationale specified in the above rejections for Claims 1-8.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Franz et al., U.S. Patent No. 6,266,642; Horiguchi et al., U.S. Patent No. 6,330,530; Nagao et al., U.S. Patent No. 5,424,947; Yoden et al., U.S. Patent Application Publication No. US 2002/0007383 A1; and Shinozaki, U.S. Patent No. 6,119,077.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Doug Hutton whose telephone number is (703) 305-1701. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

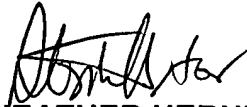
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WDH

May 27, 2004



**HEATHER HERNDON
SUPERVISORY PATENT EXAMINER
TECH CENTER 2100**